

Finding and Using U.S. Court Records  
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*County court records are rich resources for genealogists and historians. They provide unique insights that cannot be found anywhere else. At times, court records include information about family structure, age, and occupation. Some court records can even include testimony from an ancestor!*

## Common types of courts

### 1. Chancery Court (sometimes called Equity)

Definition: According to *Black's Law Dictionary*, chancery courts handle causes of equity where "justice is administered according to fairness as contrasted with strictly formulated rules of common law." These courts use equity law, which look beyond statute law to greater ideas about right and wrong.

Examples: Disputes over land, the division of estates, dissolution of business partnerships, and divorce

What kind of information can I find in chancery records?

Just about anything! It really depends on the nature of the case and how much evidence was collected. In the best-case scenario, chancery files can include extensive testimony and letters or account books that were preserved as evidence.

### 2. Civil Court

Definition: In contrast to chancery, civil suits involve two parties whose dispute deals with the common law, or more concrete issues instead of more nebulous questions of fairness.

Examples: Most often, civil suits were about debt.

What kind of information can I find in a civil suit?

The financial activities of an individual and potentially something about his or her family or business ventures

### 3. Probate Court

Definition: the court that oversees the management of a deceased person's estate

What can I find in probate records?

Wills, estate records, and administrator's accounts

### Where to Find Court Records

Most original county court records are kept at state archives.

List of State Archives:

<http://www.archives.gov/research/alic/reference/state-archives.html>

Depending on the state, court records may have been microfilmed or even scanned and put online. For example, the Library of Virginia has put over 233,000 chancery causes online, where they are searchable by plaintiff or defendant's last name. Other records are available through Family Search. Trying using the Catalog to search for a place with the keyword "Court Records" and see what comes up!

Family Search catalog:

<https://familysearch.org/catalog-search>



The screenshot shows the FamilySearch Catalog search page. At the top, there is a navigation bar with tabs: RECORDS, GENEALOGIES, CATALOG (highlighted), BOOKS, and WIKI. Below the navigation bar, the title "FamilySearch Catalog" is displayed. A descriptive paragraph states: "Search the catalog of genealogical materials (including books, online materials, microfilm, microfiche, and publications) made available by FamilySearch. Many items can be loaned to local Family History Centers around the world." Below this, a link says "Learn more about the catalog and how to access materials." The main search area is titled "Search by:" and includes tabs for Places, Surnames, Titles, Author, Subjects, and Keywords. The "Places" tab is selected, and a text input field contains "United States, North Carolina". Below this, the "Keywords" tab is selected, and a text input field contains "Court Records". At the bottom, there is a "Search for:" section with tabs for Call Number and Film/Fiche Number.

Virginia Chancery Index:

<http://www.lva.virginia.gov/chancery/>

Also consider using Google Books for state and federal courts

<http://books.google.com/>